

SP

|                               |                        |  |                     |  |
|-------------------------------|------------------------|--|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> |  | <b>Applicant(s)</b> |  |
|                               | 10/725,141             |  | DIAZ ET AL.         |  |
|                               | <b>Examiner</b>        |  | <b>Art Unit</b>     |  |
|                               | Quang D. Thanh         |  | 3764                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a telephone interview on 8/25/05.
2. ☒ The allowed claim(s) is/are 17,18,20-37,51 and 52.
3. ☒ The drawings filed on 01 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.  |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael McKenna on 8/25/05.

The application has been amended as follows:

In the specification, after the title, the paragraph "The applicant claims the benefit of the following prior filed copending application filed October 19, 2000, U.S. Serial No. 09/692,000" has been replaced with – The present application is a division of copending application Serial No. 09/692,000, filed on October 19, 2000, now U.S. Patent No. 6,892,734. –

Claims 38-50 have been cancelled.

Claim 17 has been replaced with the following:

-- 17. A disposable garment for the care and prevention of wounds on a target area of the body of a user, the garment comprising:

an absorbent portion having a fluid pervious inner sheet, a fluid impervious outer sheet and at least one layer of absorbent material positioned between the inner and outer sheets;

Art Unit: 3764

the inner and outer sheets each having an outer surface; and  
a wound care and prevention portion coupled peripherally to the outer surface of the absorbent portion, the wound care and prevention portion including means for reducing pressure, friction and shear that can irritate or cause ulcers resulting from prolonged contact between the target area of the body of the user and a chafing surface,  
said means for reducing pressure, friction and shear having an array of removable devices forming a generally flexible sheet for supporting an area of the body of the user, each device removably coupled to at least one other device, at least one of the devices being a device that is selectably removable from the array in order to define a space in the sheet which approximates the size of the target area on the body of the user. –

In claim 20, line 1, “disposable garment of claim 17” has been replaced with  
-- disposable garment of claim 18 –

In claim 27, line 1, “disposable garment of claim 17” has been replaced with  
-- disposable garment of claim 20 –

In claim 35, line 1, “disposable garment of claim 34” has been replaced with  
-- disposable garment of claim 33 –

Art Unit: 3764

Claim 32 has been replaced with the following:

-- 32. A disposable garment for the care and prevention of wounds on a target area of the body of a user, the garment comprising:

an absorbent portion having a fluid pervious inner sheet, a fluid impervious outer sheet and at least one layer of absorbent material positioned between the inner and outer sheets;

the inner and outer sheets each having an outer surface; and

a wound care and prevention portion coupled peripherally to the outer surface of the absorbent portion, the wound care and prevention portion including means for reducing pressure, friction and shear that can irritate or cause ulcers resulting from prolonged contact between the target area of the body of the user and a chafing surface,

said means for reducing pressure, friction and shear having an array of bubbles forming a generally flexible sheet for supporting an area of the body of the user, each bubble having opposing first and second surfaces, the first surface configured to contact the body of the user. –

Claim 51 has been replaced with the following:

-- 51. The disposable garment of claim 17, wherein the devices are at least one of a pad, a pillow, and a cushion. –

In claim 52, line 1, "garment of claim 50" has been replaced with – garment of claim 17--, and line 4, "an outer sheet" has been replaced with – the outer sheet --.

2. The following is an examiner's statement of reasons for allowance: re claim 17, the closest prior art Garcia although discloses most of the claimed features, it does not teach or render obvious a disposable garment comprising all the features as substantially claimed by applicants, in combination of all elements and further including a wound care and prevention portion coupled peripherally to the outer surface of the absorbent portion, the wound care and prevention portion including means for reducing pressure, friction and shear having an array of removable devices forming a generally flexible sheet for supporting an area of the body of the user, each device removably coupled to at least one other device, at least one of the devices being a device that is selectably removable from the array in order to define a space in the sheet which approximates the size of the target area on the body of the user; re claim 32, the closest prior art Garcia although discloses most of the claimed features including the wound care and prevention portion embedded between the inner and outer sheets of the absorbent portion, it does not teach or render obvious a disposable garment comprising all the features as substantially claimed by applicants, in combination of all elements and further including a wound care and prevention portion coupled peripherally to the outer surface of the absorbent portion; the wound care and prevention portion including means for reducing pressure, friction and shear having an array of bubbles forming a generally flexible sheet for supporting an area of the body of

Art Unit: 3764

the user, each bubble having opposing first and second surfaces, and the first surface configured to contact the body of the user.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang D. Thanh whose telephone number is (571) 272-4982. The examiner can normally be reached on Monday-Thursday & alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The Central FAX phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quang D. Thanh  
Patent Examiner  
Art Unit 3764  
(571) 272-4982

QT

  
**Denton D. DeMille**  
Primary Examiner